

**CONFIDENTIAL**

Approved For Release 2005/08/02 : CIA-RDP93B01194R001300080003-7

23 September 1981

MEMORANDUM FOR: Chief, Classification Review Division

25X1 FROM:

[REDACTED]  
Chief, Operations Branch

SUBJECT: Meeting with Alan Thompson

1. On 18 September 1981 I had a meeting with Alan Thompson, Director of Declassification Division of NARS. The following issues were discussed:

- a. Mr. Thompson wanted to make sure that we had a copy of the letter from H. L. Theobald of the Historical Section of the British Cabinet Office expressing to Mr. Thompson the British concern over our ability to protect information acquired orally and put in U.S. originated documents; and, Mr. Thompson's reply. I had seen the Theobald letter but could not recall Alan's letter so I kept copies of each and they are attached hereto. I will check and if they have not been circulated among CRD reviewers we might want to arrange that and copies should go to [REDACTED] if they have not already been sent. 25X1
- b. Mr. Thompson asked if I had heard of Nicholas Bethell. When I answered that I had not, Mr. Thompson explained that he is a writer who is working on a project to write about the British and American operation against Albania, 1949-53. Mr. Bethell claims that so much information concerning this operation is already in the public domain that it is absurd in 1981 to deny the fact of the operation's existence. Bethell has hired the firm of Messrs. Reid and Priest of 1111 19th Street, N.W., Washington, DC, 20036, to prepare an FOIA request. That was as of 6 August 1981. All this is explained in a letter from Bethell to the British, a copy of which is attached. What is unique about this is that Bethell is talking to participants in the operation and names two Americans, [REDACTED] [REDACTED] with whom he apparently has already spoken. Mr. Thompson is aware that FOIA requests come to IPD and will be sent to them. If Bethell is talking to participants in the Albania operation there appears to be precious little that we can do about it. 25X1

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- c. Mr. Thompson again brought up the Professor Cruikshank matter, the English historian who, with official government backing, is preparing to write a history of British-American collaboration in the Southeast Asian area during WWII. Mr. Thompson is concerned that this request will be made to various U.S. Government elements by the British and that these elements will not provide a coordinated response. I repeated to Mr. Thompson that this basically is not our primary interest but that the Historian's office, which has already heard about this matter, and IPD if an FOIA request is involved, would be the normal points of contact. We might get in as reviewers since the material is old. Mr. Thompson will try to do as much as he can by watching for relevant information when the NARS people review the 198 feet of OSS records. He has looked at the files titles of this material and realizes that there will be precious little in it for Professor Cruikshank. I assured Mr. Thompson that if the British made the appropriate representations that we certainly would give them an appropriate and reasonable response. I also told Mr. Thompson that I would again alert the History Staff, IPD, and [redacted] the DO to in some small way help ensure that the matter does not drop between the cracks here.
- d. Finally, Mr. Thompson brought up the matter of the Vivian Dykes Diaries. This is a 55-page memo written by the Englishman Dykes about an extensive trip that he took in 1941 with Gen. Donovan during which they visited British intelligence officers in the field in several countries. From what we learned in the past a copy of the diary was in Donovan's papers, was quoted in sanitized form by Tom Troy in his book on Donovan, and that we reviewed the document and okayed it for release. Donovan's papers have been turned over to the Military History Library in Carlisle, PA by Donovan's son and are to be kept closed to everyone except Anthony Cave Brown who is writing a Biography of Donovan. A year after Brown finishes the biography the papers will be opened to others. In trying to locate a copy of the diary for the British (who can't seem to find a copy in their records), Mr. Thompson called the Library in Carlisle and was informed that the Donovan papers had been handed over to Brown who was keeping them in his Virginia residence. Mr. Thompson then called Brown who confirmed that he recalled seeing the diary in the papers and when he had the time he would look for it. Mr. Thompson told Brown that all he wanted to do was to read the document and could do that in the presence of Brown. Asked to describe the contents of the paper, Brown mentioned that it gave the names of several Britishers who were met by Dykes and Donovan. (It is the names of these British intelligence officers that the British want to protect). Brown mentioned that there is also a photo copy of the diary. (With this in mind we could search through the miniature photo copies of the Donovan appears to see if we could come up with a copy of the

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Dykes Diaries to help Mr. Thompson and the British and make it unnecessary for Mr. Thompson to go back to Brown in another attempt to get a copy for the British. I told Mr. Thompson that I would advise him if we came up with anything.

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Attachments:

1. Ltr from H. L. Theobald to Alan Thompson
2. Ltr from Alan Thompson to H. L. Theobald
3. Ltr from Nicholas Bethell to Lord Hailsham

Distribution:

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March 25, 1981

Mr. H. L. Theobald  
Historical Section  
Cabinet Office  
Hepburn House  
Marsham Street  
London, SW1P 4HW  
ENGLAND

Dear Theo:

Thank you very much for your letter of 17 February (your ref. H.O420). I especially appreciate your kind remarks concerning my exposition of the records scene in Washington.

I will be turning my attention to the comments made by you and others on my notes of the October visit to London in the next few weeks. This letter is focused--as was yours--on the question of protection of British classified information found in and among U.S. records.

The matter of appropriate protection of British (and other foreign country) originated classified information passed orally is of considerable concern to all of us. It is a particularly worrisome matter as Executive Order 12065 drives us to review U.S. records containing orally provided information before it becomes 30 years old.

The problem begins with identifying in U.S. originated documents information provided by British (and other) officials. In the vast majority of cases this fact is readily apparent and even the nationality of the source can be determined. The second problem is more difficult--whether the information was provided with the expectation, expressed or implied, that the information shared be held in confidence. At times this expectation is clear and unequivocal. But in most cases the undertaking by the receiving U.S. official is not clear from the evidence in the document and the presence of a U.S. classification marking is not conclusive.

Our reviewers are instructed to review all documents containing orally provided foreign government information with great care. We search for every clue and indication of the intent of the provider of the information and the understanding of the recipient. Sometimes the sensitive content of the information provides the only clue as to the probable intentions of both parties. The staff has been advised that if there is any doubt as to the appropriate action to take in a specific case, that it should be withdrawn and subjected to another review when it becomes 30 years old. To ensure that every reviewer in NARS has this instruction I have issued an information memorandum on this very topic. A copy is enclosed.

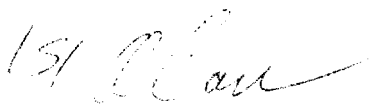
2

The amendment to the language of Section 3.2 of the Guidelines for systematic review of Foreign Government Information proposed in your letter certainly would remove doubt as to the elements clearly to be included under the heading, "provided in any manner." I have shared your letter and the information memorandum with my colleagues in Defense, State, Energy, CIA, NSC, and the Information Security Oversight Office. They also are considering how to immediately provide instruction to declassification reviewers on this matter. When these guidelines are reviewed next year we will more formally consider your language change.

Having said all of this, I can now tell you that the problem may be resolved in large part by amending Executive Order 12065. Among many other matters being considered is a proposal that the U.S. Government revert to the earlier practice of reviewing classified information as it becomes 30 years old. One of the telling reasons behind proposing this change is the concern abroad--and especially among our closest allies--regarding our procedures for protecting foreign government information provided in confidence for a minimum of 30 full years. If this proposal to fall back to a 30-year line is accepted, we will have removed in large measure this particular concern on your part. I will keep Roger, Peter, and you informed as the deliberations on amendments proceed. In the meantime you may be sure all of us will do our very best to continue to protect your sensitive information provided orally.

Thank you also for including the comments of Judy Robertson concerning nuclear programs and fuel requirements. I am consulting with DOE's Office of Classification on points she raises.

Sincerely,



EDWIN A. THOMPSON  
Director  
Records Declassification Division

Enclosure

CC: L.E. Dean - FBI

Official File - MND -

Robert Duff - DOE

[Redacted] - CIA

Clayton McManaway - State

Art Van Cook - DOD

Brenda Reger - NSC

Steve Garfinkle - ISOO

Day File - MND

Roger Carrick - British Embassy

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CABINET OFFICE

HISTORICAL SECTION

Heplure House, Marsham Street, London, SW1P 4HW

Telephone: 01-211-6566

Our Ref: H.0472

15 April 1981

*Dear Alan*

Many thanks for your letter of 25 March. This has been most helpful in dispelling any major lingering apprehensions over the treatment of British classified information to be found in US-held records.

At best, Public Records administration is an inexact science; and it is, I agree particularly inexact in identifying currently classified information which may have been gathered many years ago in unrecorded discussion or conversation. I can therefore see that your reviewers (and indeed ours too in a reciprocal situation) might find difficulty in determining whether such information, recorded in a Despatch some 20 or 30 years previously, should be the subject of international clearance.

We are content that reviewers can normally be relied upon to use their good sense and discretion in those circumstances and there is no problem about leaving the matter to the exercise of their judgements. Nevertheless, it is comforting that you have, in consultation with your colleagues in the US Departments immediately concerned, prepared a Staff Information Memorandum to supplement the Definitions in Section B of the Guidelines for the systematic review of foreign government information dated 5 March 1980. I am grateful for the copy of the Memorandum, dated 26 March 1981, copies of which I will circulate to all those UK Government Departments and agencies to whom I originally sent the Guidelines of 5 March 1980. This will I am sure dispel any misgivings which we may have had about information passed orally.

I am circulating copies of your letter to selected Departments and Jud. Robertson will note that the UKAEA observations on the US Department of Energy's classification Guidelines are receiving the attention of that Department.

I was interested to note from your letter, and from correspondence which I had seen between Roger Carrick and Peter Bulstrode, that the future of the amending Executive Order No. 12065 is very much in the balance. It is not of course for us to take views about the directions which US legislation might take; but since you

*I have observed .....*

Mr Edwin A Thompson

Director Records Declassification Division

National Archives and Records Service

General Services Administration

WASHINGTON D C 20408

/to have observed the point, I entirely agree that it would remove some areas of our concern if the normal closed period in the US were to remain at the 30 year line - on which we ourselves are likely to remain for some time to come - instead of reducing the proposed 20 years.

In the latter connection you will notice that the Committee of Enquiry under Sir Duncan Wilson (whose Report Pat Barnes sent you on publication day), have despite many other recommendations for change, decided against any alteration of our 30-year normal closed period.

I am channelling this reply through Roger Carrick in Washington.

*Yours ever  
Theo*

(H. L. THEORALD)